

REMARKS

The undersigned wished to thank Examiner Levy for the courtesy and helpful comments extended during their recent discussion of the present Office Action. At that time, it was discussed that the claims presented would call for administration to a dog. All the pending claims are methods claims that call for administration to a dog.

Claims 76-127 have been cancelled without prejudice, and claims 128-177 have been added. No new matter has been added by virtue of the new claims. For instance, support for the new claims appears e.g. at page 6, lines 10-12; page 8, lines 15-16; page 11, lines 24-26; page 16, lines 1-7 and the original claims of the application.

Claims 92-94 were rejected under 35 U.S.C. 102 over Phillippi (U.S. Patent 5377620). The rejection is traversed.

As mentioned above, all the pending claims are method claims that call for administration to a dog.

Nowhere does Phillippi mentioned dogs. Accordingly, the rejection is properly withdrawn. See *In re Marshall*, 198 USPQ 344, 346 (CCPA 1978) ("[r]ejections under 35 U.S.C. §102 are proper only when the claimed subject matter is identically disclosed or described in the prior art.")

Claims 76-91, 95-111, 115-123 and 127 were rejected under 35 U.S.C. 102 or, in the alternative, under 35 U.S.C. 103 over GB-1474931.

Claims 92, 93, 112, 113, 124 and 125 were rejected under 35 U.S.C. 103 over GB-1474931 and Magnant et al. (U.S. Patent 5787839).

For the sake of brevity, the above two rejections are addressed in combination. Such a combined response is considered appropriate because, *inter alia*, the two rejections rely on the GB-1474931 document as the sole or primary citation.

Each of the rejections is traversed.

As with the Philippi document, GB-1474931 does not mention administration to a dog.

In fact, as discussed with Primary Examiner Levy, GB-1474931 effectively teaches *against* administration to a dog. For example, as noted in discussions with Primary Examiner Levy, at column 1 of GB-1474931, the following is stated:

The animal parts preferably includes freshly-slaughtered offal, such as for instance liver, heart, lights, rumen, spleen and skin all frozen together in the raw state ...

The Magnant et al. document does not remedy such deficiencies of GB-1474931. Indeed, the Magnant et al. document reports a container to carry pet food when on trips or traveling. No incentive would have existed to somehow combine features of the freshly-slaughtered frozen offal reported in GB-1474931 with a travel pet container of Magnant et al.

Nor does Magnant either alone or in combination with GB-1474931 suggest use of one or more feed materials in an amount of within about 15 weight percent or less of a specified amount, as recited in Applicants' claims.

In view thereof, reconsideration and withdrawal of the rejections are requested.

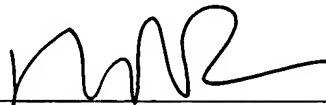
Claims 114 and 126 were rejected under 35 U.S.C. 103 over Phillippi (U.S. Patent 5377620) in view of Nutrition Works '97.

Neither Phillippi nor the Nutrition Works documents provides any suggestion of administration to a dog.

Accordingly, the rejection is properly withdrawn.

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,



Peter F. Corless (Reg. No. 33,860)
EDWARDS & ANGELL, LLP
P.O. Box 55874
Boston, Massachusetts 02205
Tel. (617) 439-4444
Fax (617) 439-4170